

**REMARKS**

Applicant wishes to thank the Examiner for a complete and thorough review of the Applications. By this amendment, claims 1, 2, 9, and 10 have been amended, and claims 8 and 19 have been cancelled without prejudice or disclaimer. Accordingly, claims 1-3, 5, 6, and 9-13 are currently pending in the application, of which claim 1 is the only independent claim.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Applicants further submit that no issues requiring a further search are presented.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

***Preliminary Matters***

Applicant appreciates the withdrawal of the objection to the oath/declaration.

***Election/Restriction***

Claim 19 stands withdrawn from consideration as being drawn to a nonelected invention. Claim 19 has been cancelled by the present amendment.

***Specification Objection***

Applicant acknowledges that the objection to the specification has been withdrawn.

***Claim Objection***

Applicant acknowledges that the objections to claims 2, 4, 7, 8, and 14 have been withdrawn.

***Rejections Under 35 U.S.C. §112, second paragraph***

Applicant acknowledges that the rejection of claims 1-13 under 35 U.S.C. §112, second paragraph has been withdrawn.

***Rejections Under 35 U.S.C. §102***

Claims 1, 4, 5, 7, and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 4,980,152 issued to Frazier, *et al.* ("Frazier"). Applicant respectfully traverses this rejection for at least the following reasons.

Claim 1 is directed to a dentifrice composition for whitening teeth that is free of a hydrocarbon humectant. Claim 1 has been amended to include a metal chelating system in an amount ranging from about 0.1% to about 8.0% by weight of the composition, where the metal chelating system includes a condensed pyrophosphate, an organic phosphate chelating agent, and a metal precipitating agent.

Frazier fails to disclose, teach or suggest a composition for whitening teeth that is free of a hydrocarbon humectant and includes a metal chelating system that uses a condensed pyrophosphate, an organic phosphate chelating agent, and a metal precipitating agent.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §102(b) rejection of claims 1, 4, 5, 7, and 11. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claim 1, and all the claims that depend therefrom are allowable.

***Rejections Under 35 U.S.C. §103***

Claims 1, 4-8, and 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Frazier in view of U. S. Patent No. 6,312,666 issued to Oxman, *et al.* (“Oxman”). Applicant respectfully traverses this rejection for at least the following reasons.

Oxman, like Frazier above fails to disclose, teach or suggest a composition for whitening teeth that is free of a hydrocarbon humectant and includes a metal chelating system that uses a condensed pyrophosphate, an organic phosphate chelating agent, and a metal precipitating agent.

When Oxman is combined with Frazier the specific combination of elements in claim 1 including the metal chelating system is not taught by the combination.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claims 1, 4-7, and 11-12. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claim 1, and all the claims that depend therefrom are allowable.

Claims 1-8, and 10-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Frazier in view of Oxman, and further in view of U. S. Patent No. 6,479,038 issued to Day (“Day”) and U.S. Patent No. 4,537,778 issued to Clipper *et al.* (“Clipper”). Applicant respectfully traverses this rejection for at least the following reasons.

Similar to Frazier and Oxman above, Day and Clipper whether taken singly or in combination with the other cited references disclose, teach or suggest the specific combination of elements of claim 1. Specifically, Frazier, Oxman, Day, and Clipper fail to teach or suggest a composition for whitening teeth that is free of a hydrocarbon humectant and includes a metal

chelating system that uses a condensed pyrophosphate, an organic phosphate chelating agent, and a metal precipitating agent.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claims 1-7, and 10-13. Since the none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claim 1, and all the claims that depend therefrom are allowable.

**CONCLUSION**

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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